



PRESS RELEASE

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April 26, 2004

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LAKESIDE MAN PLEADS GUILTY TO STEALING AND TRAFFICKING NATIVE AMERICAN CULTURAL ITEMS

PHOENIX -- The United States Attorney's Office for the District of Arizona announced that on April 21, 2004, Bergen Tyrone Cowan, (9/1/1967), of Lakeside, Arizona, pled guilty in federal court in Phoenix to two counts of stealing and trafficking Native American cultural patrimony and one count of theft of tribal property.

Cowan had been charged with 15 counts of violating Title 18, United States Code, Section 1170(b), Trafficking in Native American Cultural Items, and one count of violating Title 18, United States Code, Section 1163, Theft of Tribal Property.

On or between October 1, 2003 and November 5, 2003, the defendant stole nine Gaan ceremonial headdresses and six Gaan ceremonial prayer wands from the Fort Apache Indian Reservation. On November 5, 2003, the defendant sold the ceremonial items to an undercover agent for \$6,000. These ceremonial headdresses and prayer wands were used during sacred and traditional ceremonies. After the ceremonies were completed, the items were decommissioned and placed in a sacred burial site. They are items of cultural patrimony with

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ongoing historical, traditional and cultural importance central to the White Mountain Apache people.

A first conviction for Trafficking in Native American Cultural Items is a misdemeanor and carries a maximum penalty of 1 year in prison, a \$100,000.00 fine or both. A second conviction for Trafficking in Native American Cultural Items is a felony and carries a maximum penalty of 5 years, a \$250,000.00 fine or both.

By pleading guilty to two counts of trafficking in Native American Cultural Items, Cowan will receive a misdemeanor for one count, which will serve as his first conviction, and a felony for one count, which will serve as his second conviction. In addition, Cowan pled guilty to one count of Theft of Tribal Property, a felony that also carries a maximum penalty of 5 years, a \$250,000.00 fine or both.

Sentencing is set before Judge Paul G. Rosenblatt on June 28, 2004 at 9:30 a.m.

The investigation in this case was conducted by the Bureau of Indian Affairs and the Federal Bureau of Investigation.

The prosecution is being handled by Kimberly M. Hare, Assistant United States Attorney, District of Arizona, Phoenix, Arizona.

CASE NUMBER: CR-03-1203-PCT-PGR
RELEASE NUMBER: 2004-076

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